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February 8, 2013

Hon. Thérèse Wiley Dancks
United States District Judge
U.S. District Court, NDNY
100 S. Clinton Street
Syracuse, New York 13261

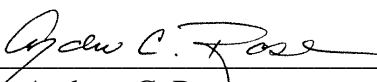
Re: JUSTIN ORCUTT *et al.* v NATIONAL BASEBALL HALL OF FAME, INC.
U.S. Dist. Ct., N.D.N.Y. ~ 6:12-CV-0513 (GTS/TWD)

Dear Magistrate Dancks:

In accordance with your Text Order of January 10th requesting a Status Report by this date, please be advised that the parties have nearly completed their Settlement Agreement, expect to have it signed very soon, and will take all additional steps needed to complete the dismissal of this case with prejudice promptly after that.

Respectfully,

NIXON PEABODY LLP


By: Andrew C. Rose

ACR/ema

cc: E. David Hoskins, Esq.
Christopher M. Mason, Esq.